

स्टैंड नं० ल०-33/एस० एम० 14/91.



राजपत्र, हिमाचल प्रदेश (असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, बुधवार, 24 अप्रैल, 1991/4 बैशाख, 1913

हिमाचल प्रदेश सरकार

विधि विभाग

अधिसूचना

शिमला-2, 24 अप्रैल, 1991

क्रमांक एल० एल० आर० (डी)(6)9/91.—हिमाचल प्रदेश के राज्यपाल, भारत के संविधान के अनुच्छेद 200 के अधीन प्रदत्त शक्तियों का प्रयोग करते हुए, तारीख 23 अप्रैल, 1991 को अनुमोदित भारतीय स्टाम्प (हिमाचल प्रदेश संशोधन) विधेयक, 1991 (1991 का विधेयक संख्यांक 12)

को वर्ष 1991 के हिमाचल प्रदेश अधिनियम संख्यांक 11 के रूप में संविधान के अनुच्छेद 348(3) के अधीन उसके प्राधिकृत पाठ सहित, हिमाचल प्रदेश राजपत्र में प्रकाशित करते हैं।

आदेश द्वारा,

ए० एल० वैद्य,
सचिव (विधि)।

1991 का अधिनियम संख्यांक 11.

भारतीय स्टाम्प (हिमाचल प्रदेश संशोधन) अधिनियम, 1991

(राज्यपाल महोदय द्वारा तारीख 23 अप्रैल को यथा अनुमोदित)

हिमाचल प्रदेश राज्य में यथा लागू भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) का और संशोधन करने के लिए अधिनियम ।

भारत गणराज्य के ब्यालीसवें वर्ष में हिमाचल प्रदेश विधान सभा द्वारा निम्नलिखित रूप में यह अधिनियमित हो :--

1. (1) इस अधिनियम का संक्षिप्त नाम भारतीय स्टाम्प (हिमाचल प्रदेश संशोधन) अधिनियम, 1991 है ।

संक्षिप्त
नाम और
विस्तार ।

(2) इसका विस्तार सम्पूर्ण हिमाचल प्रदेश पर है ।

1899 का 2

2. हिमाचल प्रदेश राज्य में यथा लागू भारतीय स्टाम्प अधिनियम, 1899 से उपाबद्ध अनुसूची I-A में,--

अनुसूची
I-A का
संशोधन ।

(क) अनुच्छेद 23 और 33 के स्थान पर निम्नलिखित अनुच्छेद 23, 33 और अनुच्छेद 40 के खण्ड (क) के स्थान पर निम्नलिखित खण्ड (क) प्रतिस्थापित किया जाएगा :--

"Description of instrument"

Proper stamp duty

23. Conveyance as defined by section 2(10) not being a Transfer charged or exempted under No. 62. Where conveyance amounts to sale of immovable property. Other conveyances

(a)

(b)

1

2

Where the value or amount of the consideration equal to the market value of the property or consideration, if any, as set forth therein does not exceed Rs. 50;
where it exceeds Rs. 50, but does not exceed Rs. 100;
where it exceeds Rs. 100, but does not exceed Rs. 200;
where it exceeds Rs. 200, but does not exceed Rs. 300;
where it exceeds Rs. 300, but does not exceed Rs. 400;
where it exceeds Rs. 400, but does not exceed Rs. 500;

Six rupees

Twelve rupees

Twenty-four rupees

Thirty-six rupees

Forty-eight rupees

Sixty rupees

One rupee and fifty paise.

Three rupees.

Six rupees.

Nine rupees.

Twelve rupees.

Fifteen rupees.

1

2

| | | |
|--|--------------------------------|----------------------|
| where it exceeds Rs. 500, but does not exceed Rs. 600; | Seventy-two rupees | Eighteen rupees. |
| where it exceeds Rs. 600, but does not exceed Rs. 700; | Eighty-four rupees | Twenty-one rupees. |
| where it exceeds Rs. 700, but does not exceed Rs. 800; | Ninety-six rupees | Twenty-four rupees. |
| where it exceeds Rs. 800, but does not exceed Rs. 900; | One hundred and eight rupees. | Twenty-seven rupees. |
| where it exceeds Rs. 900, but does not exceed Rs. 1,000; and | One hundred and twenty rupees. | Thirty rupees. |
| for every Rs. 500 or part thereof in excess of Rs. 1,000. | Sixty rupees | Fifteen rupees. |

Exemption

Assignment of copyright under the Copyright Act, 1957, section 18.

CO-PARTNERSHIP—DEED.

See partnership (No. 46).

33. GIFT—Instrument of, not being a Settlement (No. 58), or Will or Transfer (No. 62).

The same duty as a conveyance amounting to sale (No. 23) as levied by this Act for a consideration equal to the market value of the property or consideration, if any, as set forth in the instrument; whichever is higher.

HIRING AGREEMENT or Agreement for Service.

See Agreement (No. 5).

40. (a) When possession of the property or any part of the property comprised in such deed is given by the mortgagor or agreed to be given.

The same duty as a conveyance amounting to sale (No. 23) as levied by this Act for a consideration equal to the market value of the property or consideration, if any, as set forth in the instrument; whichever is higher.”; and

(ख) अन्त में आए विद्यमान परन्तुक का लोप किया जाएगा।

AUTHORITATIVE ENGLISH TEXT

Act No. 11 of 1991.

**THE INDIAN STAMP (HIMACHAL PRADESH AMENDMENT) ACT,
1991**

(AS ASSENTED TO BY THE GOVERNOR ON 23RD APRIL, 1991)

AN

ACT

further to amend the Indian Stamp Act, 1899 (Act No. II of 1899) in its application to the State of Himachal Pradesh.

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Forty-second Year of the Republic of India as follows:—

1. (1) This Act may be called the Indian Stamp (Himachal Pradesh Amendment) Act, 1991.

Short title
and extent.

(2) It extends to the whole of Himachal Pradesh.

2. In Schedule I-A annexed to the Indian Stamp Act, 1899, in its application to the State of Himachal Pradesh,—

Amend-
ment of
Schedule
I-A.

(a) for Articles 23 and 33 and clause (a) of Article 40, the following Articles 23, 33 and clause (a) of Article 40 shall be substituted, namely:—

| “Description of instrument | Proper stamp duty | Other conveyances |
|---|--|---------------------------|
| (a) | (b) | |
| 1 | 2 | |
| 23. Conveyance as defined by section 2(10) not being a Transfer charged or exempted under No. 62. | Where conveyance amounts to sale of immovable property | Other conveyances |
| Where the value or amount of the consideration equal to the market value of the property or consideration, if any, as set forth therein does not exceed Rs. 50; | Six rupees | One rupee and fifty paise |
| where it exceeds Rs. 50, but does not exceed Rs. 100; | Twelve rupees | Three rupees. |
| where it exceeds Rs. 100, but does not exceed Rs. 200; | Twenty-four rupees | Six rupees. |
| where it exceeds Rs. 200, but does not exceed Rs. 300; | Thirty-six rupees | Nine rupees. |
| where it exceeds Rs. 300, but does not exceed Rs. 400; | Forty-eight rupees | Twelve rupees. |

| | | |
|--|--------------------------------|----------------------|
| where it exceeds Rs. 400, but does not exceed Rs. 500; | Sixty rupees | Fifteen rupees. |
| where it exceeds Rs. 500, but does not exceed Rs. 600; | Seventy-two rupees | Eighteen rupees. |
| where it exceeds Rs. 600, but does not exceed Rs. 700; | Eighty-four rupees | Twenty-one rupees. |
| where it exceeds Rs. 700, but does not exceed Rs. 800; | Ninety-six rupees | Twenty-four rupees. |
| where it exceeds Rs. 800, but does not exceed Rs. 900; | One hundred and eight rupees. | Twenty-seven rupees. |
| where it exceeds Rs. 900, but does not exceed Rs. 1,000; and | One hundred and twenty rupees. | Thirty rupees. |
| for every Rs. 500 or part thereof in excess of Rs. 1,000. | Sixty rupees | Fifteen rupees. |

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HIRING AGREEMENT or Agreement for Service.

See Agreement (No. 5).

40. (a) When possession of the property or any part of the property comprised in such deed is given by the mortgagor or agreed to be given. The same duty as a conveyance amounting to sale (No. 23) as levied by this Act for a consideration equal to the market value of the property or consideration, if any, as set forth in the instrument; whichever is higher.” ; and

(b) The existing proviso occurring at the end shall be deleted.